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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE** OFFICE OF PETITIONS

Applicant: Keith D. ALLEN

Serial No.: 09/900,518

Filed: July 6, 2001

Title: Transgenic Mice Containing CX2 Gene  
Disruptions

Group Art Unit: 1636

Examiner: Qian, Celine X.

Customer No. 26619

Docket/Order No. R-716

Date: October 15, 2003

**Renewed Petition to Revive under 37 C.F.R. § 1.137(b)**

Commissioner for Patents  
**Mail Stop Petition**  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The above referenced application has unintentionally fallen abandoned due to the inadvertent failure to timely file a proper reply to the Office Action mailed November 5, 2002. In order to revive the status of the application, Applicant submitted on September 11, 2003 a Petition for Revival of an Unintentionally Abandoned Application under 37 C.F.R. § 1.137(b), including a response to the outstanding Office Action, a request to withdraw the required petition fee from Applicant's deposit account, and a statement that the entire delay was unintentional. Unfortunately, Applicant was not aware that the deposit account did not have sufficient funds to cover the required petition fee, and thus the petition was dismissed by the Commissioner for lack of the required fee. Therefore, Applicant is attempting to revive the status of the application. Attached herewith is a renewed Petition for Revival of an unintentionally Abandoned Application under 37 C.F.R. § 1.137(b). Applicant hereby authorizes the Commissioner to debit the Petition Fee of \$665.00 from deposit account 50-1271. Applicant resubmits the Amendment below in response to the outstanding Office Action as the required submission, and requests entry and consideration of the amendments and remarks contained therein. Applicant hereby states that the entire delay in responding to the outstanding Office Action was unintentional, including the delay resulting from the lack of funds in the deposit account.

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In the Notice of the Commissioner's Decision, it was further stated that it was not apparent that the undersigned had Power of Attorney in this case, or that the undersigned would be aware of whether the entire delay in response was unintentional. Please find enclosed a Power of Attorney authorizing the undersigned to act on the behalf of Deltagen, Inc., Customer Number 26619. Therefore, the undersigned is believed to have Power of Attorney in the above identified application. Furthermore, the undersigned is aware that the entire delay in responding to the Office Action dated November 5, 2002 was unintentional. Further explanation of the delay will be provided should it be deemed necessary in order to revive the status of the application.

#### **THE AMENDMENTS**

Applicant submits that the following Amendment follows the revised format described in *AMENDMENTS IN A REVISED FORMAT NOW PERMITTED*, published in *Official Gazette* on February 25, 2003. As such, only one copy of each replacement paragraph, section or claim is required. Further, amendments to the claims are made by presentation of a complete listing of all claims including any amendments.